

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Shigeaki MURATA et al.

Group Art Unit: 1745

Application No.: 10/676,129

Examiner: J. MAPLES

Filed: October 2, 2003

Docket No.: 116783

For: FUEL CELL SYSTEM, HYDROGEN GAS SUPPLY UNIT, AND METHOD OF
CONTROLLING FUEL CELL SYSTEM

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the April 17, 2007 Restriction Requirement, Applicants provisionally elect Group I (claims 1-10 and 14) drawn to a fuel cell system, with traverse.

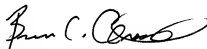
It is respectfully submitted that the subject matter of all claims is sufficiently related that a thorough search for the subject matter of any one group of claims would encompass a search for the subject matter of the remaining claims. For example, a thorough search for the elected fuel cell system should include a search of a method of controlling a fuel cell system (Group II claims). Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this

policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Further, Applicants note that upon allowance of elected system claims, the method claims, which include all of the limitations of claim 1 of the elected group of claims, should be rejoined and similarly allowed. Thus, Applicants request withdrawal of the Restriction Requirement for this additional reason.

For all the foregoing reasons, withdrawal of the Restriction Requirement is respectfully requested.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Brian C. Anscomb
Registration No. 48,641

JAO:BCA/hs

Date: May 17, 2007

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

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